



**U.S. Department of Justice  
U.S. Attorney's Office  
Western District of Texas**

**Johnny Sutton, U.S. Attorney**

---

**FOR IMMEDIATE RELEASE**

Shana Jones, Special Assistant  
Daryl Fields, Public Information Officer  
(210) 384-7440

January 15, 2009

**STANTON MAN SENTENCED FOR VISA FRAUD CONSPIRACY**

**United States Attorney Johnny Sutton** announced that in Midland, David Wayne Decker, 52, was sentenced to 12 months and 1 day in federal prison as a result of pleading guilty to conspiracy to commit visa fraud. Mr. Decker was also sentenced to 3 years of supervised release upon his release from prison.

The federal charge arose out of the Deckers' participation, as operators of a landscaping business and a golf course in Martin County, in the H2-B visa program administered by the United States Citizenship and Immigration Services ("USCIS") agency within the Department of Homeland Security.

Over a roughly three-year period from 2003 through 2006, the Mr. Decker and his wife Nancy, submitted a series of false Form I-129s to USCIS in which their businesses asserted under oath that they needed to hire temporary labor from the Republic of Mexico. Their businesses promised further in their written submissions that any workers granted temporary visas as a consequence of their stated need for labor would work solely in the Stanton area as landscaping or golf course employees.

In truth, the Deckers acknowledged by pleading guilty, many of the workers who were granted H2-B visas as a consequence of their businesses' petitions actually were going to work for other employers around the Permian Basin, a fact about which the Deckers admitted they were aware when they filed their paperwork. The Deckers also admitted that they accepted payments, both from other employers who were in need of labor but had not made application to USCIS, and from the workers from the Republic of Mexico themselves, in exchange for visas. In all, the Deckers agreed that well in excess of 100 visas were issued to workers from the Republic of Mexico under false pretenses as a consequence of their untruthful petitions to USCIS.

The court approved an agreement between the Government and Nancy Mintle Decker for her to serve a three-year term of probation as a consequence of her felony conviction. As part of their pleas, the Deckers additionally agreed to the assessment of a \$150,000 money judgment against them representing the illegal proceeds gained as a result of their scheme.

The case was investigated by agents with U.S. Immigration and Customs Enforcement. Assistant United States Attorney John S. Klassen is prosecuting this case for the Government.

#####